



DOCKET NO.: P0813.70015US01

*JPW*

Applicant: Frederick M.S. Herz et al.  
Serial No.: 09/690,046  
Confirmation No.: 1525  
Filed: October 16, 2000  
For: SYSTEM FOR COLLECTING, ANALYZING, AND TRANSMITTING  
INFORMATION RELEVANT TO TRANSPORTATION NETWORKS

Examiner: Reilly, Sean M.  
Art Unit: 2153

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 6<sup>th</sup> day of March, 2007.

*Patricia L. Marchetti*  
Patricia L. Marchetti

---

**MAIL STOP PETITION**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Petition to Withdraw Holding of Abandonment Under 37 C.F.R. §1.181
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Frederick M.S. Herz et al., Applicant*

By: *SM*  
Steven J. Henry, Reg. No.: 27,900  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: P0813.70015US01

Date: March 6, 2007

xNDDx



ATTORNEY'S DOCKET NO.: P0813.70015US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Frederick S.M. Herz et al.  
Serial No.: 09/690,046  
Confirmation No.: 1525  
Filed: October 16, 2000  
For: SYSTEM FOR COLLECTING, ANALYZING, AND TRANSMITTING  
INFORMATION RELEVANT TO TRANSPORTATION NETWORKS  
Examiner: Reilly, Sean M.  
Art Unit: 2153

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 6<sup>th</sup> day of March, 2007.

Patricia L. Marchetti  
Patricia L. Marchetti

---

MAIL STOP PETITION  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**UNDER 37 C.F.R. § 1.181**

Applicants hereby petition that the holding of abandonment of the above-identified patent be withdrawn, under C.F.R. § 1.181.

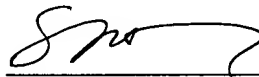
The Notice of Abandonment, mailed January 22, 2007, is based on an alleged failure to file a response or appeal brief after the Notice of Appeal filed by Applicants on August 16, 2005. However, Applicants timely filed a response on Feb 16, 2006 to the Office Action mailed February 16, 2005. The Notice of Abandonment contends that Applicants' reply of Feb 21, 2006 introduced new claim limitations which would require further search. However, a requirement for further search should not have caused this application to go abandoned. Applicants respectfully point out that the holding of abandonment is erroneous because the Office Action

mailed February 16, 2005 was a non-final Office Action. Since the outstanding Office Action was non-final, any further search needed should have been duly performed.

Applicants accordingly believe that the papers filed on February 16, 2006 constitute a timely and complete response to the last pending Office Action.

Applicant does not believe that this petition requires a fee, as Applicants timely filed the response, and thus did not abandon this application. Accordingly, no such fee is included. In the event Office personnel determine that such fee is due, Applicants' representative authorizes that the fee be charged to Deposit Account No. 23/2825. If any additional information is needed, please contact the undersigned at the number listed below.

Respectfully submitted,



---

Steven J. Henry, Reg. No. 27,900  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210-2211  
(617)646-8000

Docket No. P0813.70015US01  
Date: March 6, 2007